

**HILL  
RIVKINS**

**HILL RIVKINS & HAYDEN LLP**  
 45 Broadway, Suite 1500, New York, NY 10006-3739 Tel: (212) 669-0600  
 Fax: (212) 669-0698/0699 e-mail: thefirm@hillrivkins.com  
 Website: www.hillrivkinslaw.com



February 7, 2008

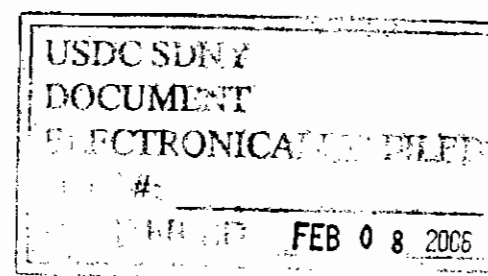
**Fax Transmission – 212-805-0426**

The Honorable Laura Taylor Swain  
 United States District Judge  
 United States District Court  
 Southern District of New York  
 U.S. Courthouse  
 500 Pearl Street  
 New York, NY 10007

**MEMORANDUM ENDORSED**

The ECF system provides notice of the entry of this Order to each party that has both entered an appearance in this case and registered with ECF. The ECF-registered attorneys are responsible for providing notice to any co-counsel whose e-mail addresses are not reflected on the ECF docket for this case, and Plaintiff's counsel, upon receiving notice of this Order, is hereby ordered to fax or otherwise deliver promptly a copy to all parties who are not represented by ECF-registered counsel. A certificate of such further service shall be filed within 5 days from the date hereof. Counsel who have not registered for ECF are ordered to register immediately as filing users in accordance with the Procedures for Electronic Case Filing.

Re: The Continental Insurance Company v. M.V.  
 MSC CHINA, her engines, boilers, etc., et al.  
 07 Civ. 10579 (LTS)  
Our File No.: 29686-JEO



Dear Judge Swain:

We are the attorneys for the plaintiff in the above captioned matter.

We are writing to request a two week adjournment of the pre-trial conference currently scheduled for February 15, 2008 at 4:00 p.m.

This is the first request for an extension, and counsel for the defendants, Gina Venezia Esq., joins in the application for this adjournment.

We make this request as Ms. Venezia has been out of her office recently due to illness, and we have not been able to meet to discuss this matter, and to discuss settlement.

The applicable bill of lading purports to contain a foreign jurisdiction clause, and we believe that a two week adjournment will allow us to study the issue and to ascertain if the case can be settled.

*The conference is adjourned to  
 February 29, 2008 at 10:00AM.*  
**SO ORDERED.**

Respectfully submitted,

**HILL RIVKINS & HAYDEN LLP**

John Eric Olson

 LAURA TAYLOR SWAIN  
 UNITED STATES DISTRICT JUDGE

**NEW JERSEY**  
 175 North Broadway  
 South Amboy, NJ 08879-1638  
 Tel: (732) 838-0300 Fax: (732) 316-2365  
 e-mail: thefirm@hillrivkins.com

**TEXAS**  
 712 Main Street, Suite 1515  
 Houston, TX 77002-3209  
 Tel: (713) 222-1515 Fax: (713) 222-1359  
 e-mail: hillrivkintexas@hillrivkins.com

**CONNECTICUT**  
 60 Quarry Dock Road  
 Branford, CT 06405-4654  
 Tel: (203) 315-9274 Fax: (203) 315-9264  
 e-mail: hillrivkinsct@snet.net

**CALIFORNIA**  
 Hill Rivkins/Brown & Associates  
 11140 Fair Oaks Boulevard, Suite 100  
 Fair Oaks, CA 95628-5126  
 Tel: (916) 535-0263 Fax: (916) 535-0268  
 e-mail: thefirm@bmlaw.com